

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LESHANE J. HOLMES,

Plaintiff,

No. CIV S-04-2377 LKK KJM P

vs.

JEANNE S. WOODFORD, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action filed pursuant to 42 U.S.C. § 1983. By order filed July 25, 2006, plaintiff's complaint was dismissed with leave to file an amended complaint. Plaintiff has now filed an amended complaint.

The amended complaint states cognizable First Amendment claims pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1915A(b) against defendants Teer and Ponce. With respect to the other claims and defendants identified in plaintiff's amended complaint, plaintiff's amended complaint fails to state a claim upon which relief can be granted.

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1 In accordance with the above, IT IS HEREBY ORDERED that defendants Ponce  
2 and Teer file a responsive pleading within twenty days of this order.

3 DATED: April 26, 2007.

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U.S. MAGISTRATE JUDGE

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